

AUG 10 2018

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

STEVEN E. CLEM,)
Plaintiff,) Civil Action No. 3:18CV00049
v.)
SCOTT H. JENKINS, et al.,)
Defendants.)
) **ORDER**
) By: Hon. Glen E. Conrad
) Senior United States District Judge

This civil rights action was removed from the Circuit Court for the County of Culpeper on July 5, 2018. In accordance with Rule 81 of the Federal Rules of Civil Procedure and Civil Rule 11(c) of the Local Rules of the Western District of Virginia, it is hereby

ORDERED

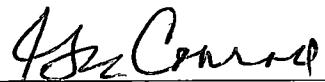
as follows:

1. The court will convert defendant Scott H. Jenkins' demurrer into a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). If Jenkins wishes to pursue the motion to dismiss, he must file a written brief in support of the motion within fourteen (14) days of the date of this order. The plaintiff shall have fourteen (14) days thereafter to file a response brief, and Jenkins shall have seven (7) days thereafter to file a reply brief.
2. If the pending Rule 12(b)(6) motions filed on behalf of Mason G. Mays, Brent W. Coffey, the Commonwealth of Virginia, and James Vernon Fox are opposed by the plaintiff, he must file a brief in opposition within fourteen (14) days of the date of this order. The moving defendants shall have seven (7) days thereafter to file a reply brief.

3. The plaintiff has ninety days from the date of removal to effect service of process on defendant Charles Burgoon. See 28 U.S.C. § 1448; Fed. R. Civ. P. 4(m).

The Clerk is directed to send a copy of this order to all counsel of record.

DATED: This 10th day of August, 2018.



Senior United States District Judge